

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED REFINING CO.,

Plaintiff,

v.

**NATIONAL UNION FIRE INSURANCE
COMPANY of PITTSBURGH, et al.,**

Defendants.

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CIVIL ACTION NO.:

2:13-CV-909

ORDER

AND NOW, this 12th day of December 2013, **IT IS HEREBY ORDERED:**

- 1.)** Defendants' motion to dismiss, (Doc. No. 13), is **GRANTED IN PART** and **DENIED IN PART**;
- 2.)** The motion to dismiss is **GRANTED** as to Counts I, II, and IV;
- 3.)** The motion to dismiss is **DENIED** as to Count III;
- 4.)** Plaintiff **SHALL SUBMIT** all dismissed claims to **ARBITRATION** in accordance with the terms of its insurance policy with defendants;
- 5.)** All remaining claims will be **STAYED** pending **COMPLETION OF ARBITRATION**.

BY THE COURT:

/s/ C. Darnell Jones, II

C. DARNELL JONES II, J.